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Department of Toxic Substances Control

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Arnold Schwarzenegger
Governor

May 22, 2006

Mr. Scott Anderson
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CONDITIONAL CONCURRENCE ON FINAL FINDING OF SUITABILITY TO TRANSFER FOR PROPERTY ON YERBA BUENA ISLAND, NAVAL STATION TREASURE ISLAND, SAN FRANCISCO, CALIFORNIA

Dear Mr. Anderson:

The Department of Toxic Substances Control (DTSC) staff completed its review of the Final Finding of Suitability to Transfer (FOST) for Property on Yerba Buena Island (YBI), dated March 22, 2006, and prepared by SulTech, a joint venture of Sullivan Consulting Group and Tetra Tech EM Inc. The purpose of the FOST is to document certain parcels of real property comprising part of Naval Station Treasure Island as environmentally suitable for transfer by deed under Section 120 (h) of the Comprehensive Environmental Response, Compensation and Liability Act, in a manner that is protective of human health and the environment. The YBI transfer parcel, located along the southwest portion of YBI, includes portions or all of Environmental Baseline Survey parcels: YB001 through YB009 and YB011 through YB024. In all, the YBI transfer parcel comprises approximately 77 acres and includes a total of 49 buildings.

Based on our review of the Final YBI FOST, DTSC concurs that parcels comprising the YBI transfer parcel are suitable for transfer provided that a land use covenant, consistent with Title 22, California Code of Regulations, Section 67391.1, is developed and recorded at the time of transfer. DTSC understands that pursuant to the memorandum of agreement executed in March 2000 between the Navy and DTSC, and as stated in Section 8.2.4 of the YBI FOST, the Navy will grant to DTSC a covenant providing DTSC with enforcement authority for all restrictions identified in the FOST.

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In addition to the authority to enforce land use restrictions, DTSC requires an agreement at the time of transfer that the transferee will reimburse DTSC for all future oversight cost associated with the monitoring and enforcement of land use restrictions on the FOST parcels on YBI.

DTSC is aware that lead and polychlorinated biphenyls (PCBs) remain on the YBI transfer parcel at concentrations that could pose a risk to future residents and/or maintenance workers. Specifically, it is known that lead may exist beneath hardscape adjacent to building foundations and driveways at Quarters 1 through 7 and 10, and that a use restriction will be imposed that requires the transferee to maintain the hardscape intact as a barrier between underlying soil and the surface. The restriction will also require the transferee to assess and abate any lead soil hazards pursuant to applicable Federal, State and local laws, and with DTSC oversight, in the event that hardscape is removed in the future. In addition to Quarters 1 through 7 and 10, several non-residential "out buildings" are also known to exist within the YBI transfer parcel that were constructed prior to 1978 and likely painted with lead-based paint. For these buildings, DTSC will require that a restriction be imposed at the time of transfer that limits their use to uses other than residential, and that the transferee will be required to address any outstanding lead issues in soil once the buildings have been demolished.

PCBs have also been detected at the YBI FOST parcel, at concentrations that will require restrictions, at two transformer vaults inside buildings 188 and 200. To address the risk at these two locations, DTSC will require a restriction that limits access to personnel responsible for the maintenance of the transformers and that all future work be conducted in these two vaults in a manner that will minimize exposure to the known PCBs.

Finally, be advised that this FOST concurrence is based on information available to DTSC at this time. In the event that new information is identified that would indicate environmental concern, DTSC reserves the right to require additional investigation and possible remediation as the situation warrants. Also, please be advised that should this property be considered for a proposed acquisition and/or construction of school properties utilizing state funding, a separate environmental review process in compliance with California Education Code 17210 et. seq. will need to be conducted and approved by DTSC.

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If you have any questions regarding this letter, please contact me at (916) 255-3732.

Sincerely,

A handwritten signature in cursive script, reading "Anthony J. Landis".

Anthony J. Landis, P.E.
Chief
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